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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|--------------------|
| 10/634,110 | 08/04/2003 | Dave Porter | 032234.05Porter | 6387 |
| 7590 | 06/02/2005 | | EXAMINER | |
| Henry S. Jaudon McNair Law Firm, P.A. P.O. Box 10827 Greenville, SC 29603 | | | | HUNNINGS, TRAVIS R |
| | | ART UNIT | | PAPER NUMBER |
| | | 2632 | | |

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------|------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/634,110 | PORTER, DAVE | |
| | Examiner Travis R. Hunnings | Art Unit 2632 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 04 August 2003.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-22 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 04 August 2003 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following reasons:

Element 10 is used to refer to two separate components. In figure 1, element 10 refers to the Container and in figure 6, element 10 refers to the CPU;

Element 80 is not mentioned in the specification;

Element 126 is not mentioned in the specification.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 11-16 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Mayor (US Patent 6,737,962).

Regarding claim 11, Mayor discloses Alarm System And Kit With Event Recording that has the following claimed limitations:

The claimed sensor dome including a sensor positioned within said container for monitoring conditions within said container is met by the housing containing the sensors that are used to monitor conditions of the trailer (col. 3, lines 26-67 and col. 4, lines 17-42);

The claimed external status indicator positioned on an exterior of said container in communication with said sensor, said status indicator signaling a current security status within said container based on signal output of said sensor is met by the strobe

light that is connected to the alarm module and is operative to be activated when a sensor is triggered (col. 3, lines 38-67 and col. 4, lines 17-42);

The claimed indicator having a first condition signaling a secured status and a second condition signaling a breached status is met by the strobe light being off when the container is secure and being activated when a sensor has been triggered (col. 3, lines 38-67);

The claimed external status indicator providing a visual signal to an inspector on the exterior of the container indicating an unbreached and a breached container is met by the strobe light being off when the container is secure and being activated when a sensor has been triggered (col. 3, lines 38-67).

Regarding claim 12, Mayor discloses all of the claimed limitations. The claimed sensor device including a central processing unit associated with said sensor and status indicator, said processing unit being operative to monitor signals sent by said sensor, comparing said signals against a norm and sending signals to said status indicator indicating breach and no breach of said container interior is met by the alarm module being connected to the sensors and external indicators and controlling the operation of each (col. 3, lines 38-67).

Regarding claim 13, Mayor discloses all of the claimed limitations. The claimed sensor device wherein said status indicator includes a port communicating with a wireless device, said port sending said breach and no breach signals to said wireless

device is met by the pager receiving signals indicating the alarm module being triggered (col. 4, lines 59-67 and col. 5, lines 1-6). The signals indicating no breach are inherently shown at the pager device by the pager device not indicating a breach when there isn't a breach detected at the alarm module.

Regarding claim 14, Mayor discloses all of the claimed limitations. The claimed sensor device wherein said breach signal includes data indicating type of breach and time of breach is met by the alarm module recording and transmitting the type of event that caused the alarm module to be triggered and the time of the event that is recorded (col. 9, lines 30-67, col. 10, lines 29-67 and col. 11, lines 1-4).

Regarding claim 15, Mayor discloses all of the claimed limitations. The claimed sensor device wherein said breach signal includes data indicating location of said container at the time of said breach is met by the alarm module querying GPS satellites to get information regarding the location of the alarm module at the time the alarm module was triggered and sending the location information to a remote monitoring system (col. 9, lines 5-23).

Regarding claim 16, Mayor discloses all of the claimed limitations. The claimed sensor device wherein said wireless device comprises one of a palm pilot, a laptop and a desk top is met by the event information being downloaded by a PDA or a laptop computer (col. 9, lines 58-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 and 17-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mayor.

Regarding claim 1, Mayor discloses the following claimed limitations:

The claimed sensing unit including a housing having first and second ends carried by said container, said first end being disposed within said container, and said second end being disposed outside said container is met by the housing containing the alarm module (col. 4, lines 17-42);

The claimed sensor carried in said first end for monitoring conditions within said container and signaling changes in said conditions is met by the sensors such as the unauthorized connect sensor, door sensors, etc. (col. 4, lines 17-42);

The claimed central processing unit in said housing in communication with said sensor said central processing unit receiving information monitored by said sensor; and comparing said information against a set of established parameters is met by the alarm

module connected to the sensors and operative to determine if an alarm state has occurred according to the signals received from the sensors (col. 3, lines 38.54);

The claimed external status indicator carried by second end of said housing for signaling current security status of the container as monitored by said sensor is met by the strobe light (col. 4, lines 17-42). It would have been obvious to one of ordinary skill in the art to mount the strobe light in the housing that contains the rest of the alarm module circuitry in order to reduce installation time and complexity and to reduce costs of having multiple external housings;

The claimed indicator having a first condition signaling a secured status within said container and a second condition signaling a breach of said parameters has been detected by said sensor is met by the strobe light having on and off settings that display the current status of the alarm module to the operator. (col. 3, lines 38-67);

The claimed remote access device operatively associated with said sensor for deactivating and reactivating said sensor is met by the remote FOB that is used to receive information regarding the alarm module status and to arm/disarm the alarm module device (col. 13, lines 20-24);

The claimed security system providing a signal on said exterior of the container whether the conditions within the container remain within said tolerances or have moved into a condition outside said tolerances indicating tampering or unauthorized access into said container is met by the strobe light being off when the alarm module has not been activated and the strobe light being on when the alarm module has been activated (col. 3, lines 38-67).

Regarding claim 2, Mayor discloses all of the claimed limitations. The claimed security system wherein said processing unit includes a computer readable medium for defining the type change within said container and the date and time of said change is met by the event memory of the alarm module recording the events that occur in the alarm module (col. 10, lines 29-38).

Regarding claim 3, Mayor discloses all of the claimed limitations. The claimed security system wherein said change may constitute a change in light conditions, temperature, motion, sound, radiation and any combination thereof is met by the door sensors sensing motion of the doors (col. 3, lines 38-54 and col. 4, lines 17-42). It would have been obvious to one of ordinary skill in the art to use any combination of sensors to accomplish the task of securing the trailer including light, temperature, motion, sound and radiation.

Regarding claim 4, Mayor discloses all of the claimed limitations. The claimed security system wherein said remote access device is operative to receive, display and print condition information generated by said processing unit is met by the alarm module transmitting information regarding the status of the alarm module to a remote monitoring station that may be a PDA or laptop computer that may print out the information regarding the events reported (col. 8, lines 62-67, col. 9, lines 1-4 and 58-67).

Regarding claim 5, Mayor discloses all of the claimed limitations. The claimed security system wherein said remote accessing device includes a global positioning system whereby said remote access device is operative to generate location at the time of breach is met by the alarm module retrieving GPS data at the time the alarm system has been triggered and sending that information to the remote processing center (col. 9, lines 5-13). Altering the device to make the remote device retrieve the GPS data instead of automatically retrieving the data upon the occurrence of an alarm state would have been obvious to one of ordinary skill in the art in order to be able to retrieve trailer location data at other times rather than only at alarm conditions.

Regarding claim 6, Mayor discloses all of the claimed limitations. The claimed security system wherein said external status indicator includes indicator lights is met by the strobe light (col. 4, lines 17-42).

Regarding claim 7, Mayor discloses all of the claimed limitations. The claimed security system wherein said housing includes a power source for operating said sensing unit is met by the battery providing power to the alarm system (col. 3, lines 26-53).

Regarding claim 8, Mayor discloses all of the claimed limitations. The claimed security system wherein said housing is removably mounted in an end wall or door of said container is met by the housing being mounted as seen in figure 3.

Regarding claim 9, Mayor discloses all of the claimed limitations. The claimed security system wherein said container is portable by land and sea transport is met by the trailer being transported by land carriers as seen in figure 3 (i.e. tractor-trailers) and it is well known that tractor trailer containers can be transported by rail or sea using well known transportation techniques.

Regarding claim 10, Mayor discloses all of the claimed limitations. The claimed security system wherein said second end includes an infrared port for receiving and transmitting information is met by the system transmitting information over an infrared channel (col. 4, lines 59-67, col. 5, lines 1-6, col. 10, lines 58-67 and col. 11, lines 1-4).

Regarding claim 17, the claim is interpreted and rejected as claim 1 stated above.

Regarding claim 18, the claim is interpreted and rejected as claim 3 stated above.

Regarding claim 19, the claim is interpreted and rejected as claim 6 stated above.

Regarding claim 20, Mayor discloses all of the claimed limitations. The claimed method including providing satellite communication and monitoring the location of said container is met by the container having satellite communications and GPS capabilities to track the alarm module location (col. 8, lines 62-67 and col. 9, lines 1-13).

Regarding claim 21, Mayor discloses all of the claimed limitations. The claimed method including providing a remote access device in communication with said exterior monitor which functions to record at least one of date time and location of a breach of said container is met by central monitoring center that is sent event records that record the type of event that triggered the alarm module and the time and location of the triggering event (col. 8, lines 62-67, col. 9 lines 1-67, col. 10, lines 29-67 and col. 11, lines 1-4).

Regarding claim 22, Mayor discloses all of the claimed limitations. The claimed method including providing a remote access device in communication with said exterior monitor and said central processing unit which functions to activate, deactivate and reset said central processing unit is met by the remote FOB that is operative to arm/disarm the alarm module unit (col. 13, lines 20-24).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kirkpatrick, USP 4,970,496

DiLullo et al. USP 4,897,642

Higdon et al. USP 5,874,889

Keillor et al. USP 5,917,433

Brown, Jr. USP 6,870,473

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Travis R. Hunnings whose telephone number is (571) 272-3118. The examiner can normally be reached on 8:00 am - 5:00 pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TRH


DANIEL WU
SUPERVISORY PATENT EXAMINER
5/31/05